



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Hiroiyuki KOJIMA et al.

Group Art Unit: 2871

Application No.: 10/825,325

Examiner: D. NGUYEN

Filed: April 16, 2004

Docket No.: 119069

For: ELECTRO-OPTICAL DEVICE ENCASED IN MOUNTING CASE, PROJECTION
DISPLAY APPARATUS, AND MOUNTING CASE

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the May 3, 2006 Office Action, reconsideration of the rejection and objections is respectfully requested in light of the following remarks. Claims 1-10 are pending in this application.

The Office Action rejects claims 1-10 under the judicially created doctrine of obviousness-type double-patenting over claims 20-25 and 27 of U.S. Patent No. 6,950,308.

Applicants concurrently file herewith a Terminal Disclaimer with regard to U.S. Patent No. 6,950,308. Thus, Applicants respectfully request withdrawal of this rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-10 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Donald A. DiPaula
Registration No. 58,115

JAO:DAD/axl

Attachment:
Terminal Disclaimer

Date: July 11, 2006

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

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| <p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p> |
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TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Seiko Epson Corporation, represents that it is the owner of a 100% interest in the above-identified patent application by virtue of an Assignment filed August 9, 2004, and recorded at Reel 014994, Frame 0151. The undersigned also certifies that he is empowered to execute this Terminal Disclaimer on behalf of the assignee.

Your Petitioner hereby disclaims the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration of the full statutory term as presently shortened by any Terminal Disclaimer, of U.S. Patent No. 6,950,308 issued September 27, 2005 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said U.S. Patent shall be the same as the legal title to any patent issuing from the above-identified application, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term as presently shortened by any Terminal Disclaimer of said U.S. Patent in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any Terminal Disclaimer.

Check No. 181660 in the amount of ☒ \$130.00 (large entity) or ☐ \$65.00 (small entity) is attached in accordance with 35 U.S.C. §41(a)(5). The U.S. Patent and Trademark Office is authorized to debit Deposit Account No. 15-0461 in the amount necessary to effect filing of this Terminal Disclaimer.

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DATE: July 11, 2006

SIGNED:



TYPED NAME:

Thomas J. Pardini

TITLE OR REGISTRATION NO.
OF ATTORNEY OF RECORD:

30,411